

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Owen Riess,

Plaintiff,

Civ. No. 11-2307 (RHK/JJK)

ORDER

v.

Messerli & Kramer, P.A.,

Defendant.

Defendant having moved to strike Plaintiff's Application for Entry of Default (Doc. No. 3) and Affidavit in support thereof (Doc. No. 4), and the Court having been advised that Plaintiff does not oppose the Motion, **IT IS ORDERED** that Defendant's Motion to Strike (Doc. No. 10) is **GRANTED**. The Clerk of the Court is **DIRECTED** to strike Plaintiff's Application for Entry of Default (Doc. No. 3) and the Affidavit in support thereof (Doc. No. 4) from the docket in this matter.¹

Dated: September 21, 2011

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge

¹ The Court recognizes, technically speaking, that a motion to strike may only be directed at a pleading (or portion thereof), see Fed. R. Civ. P. 12(f), and the papers attached here are not pleadings, see Fed. R. Civ. P. 7(a). Nevertheless, the Court may dispense with these formalities and grant the requested relief. See Fed. R. Civ. P. 1; Probatter Sports, LLC v. Joyner Techs., Inc., No. 05-CV-2045, 2007 WL 2752080, at *2 (N.D. Iowa Sept. 18, 2007).